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PATENT

Attorney Docket No. 034017R005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Matthew Hayduk

Serial No.: 10/717,989

Group Art Unit: 3754

Filed: November 21, 2003

Examiner: Nicolas, Frederick C.

For : MIXING MODULE DRIVE MECHANISM AND DISPENSING SYSTEM
WITH SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A response to the Restriction Requirement mailed August 06, 2004 is due by Tuesday, September 07, 2004. Please accept this Response as timely filed.

Restriction was required among the following two groups:

- I. Claims 1-28, drawn to a foam dispenser, and
- II. Claims 29-41, drawn to an apparatus for driving a reciprocating rod.

Applicant elects claim group I for prosecution with traverse. In the restriction requirement the claim group I is said to be drawn to a "foam dispenser." A review of the claim, however, reveals that it is directed at "a foam dispenser drive mechanism", and thus the rationale set forth in support of the two sub-combination restriction is respectfully submitted to be displaced in the categorization of claim 1, for example, as a "foam dispenser".

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Reconsideration and treatment of all pending claims is thus respectfully requested.

Applicant is also in the process of submitting a Supplemental Information Disclosure Statement which is expected to be ready for filing within a few days of the present filing.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:



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